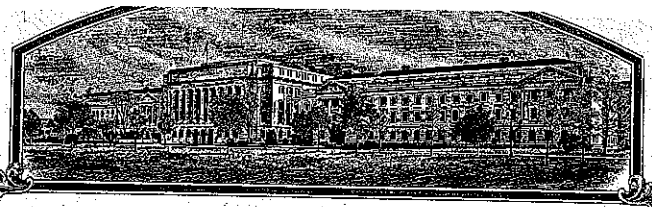

No. 200100079

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pioneer Hi-Bred International, Inc.

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR PORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE VE PURPOSE , OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT ED BY THE PLANT VARIETY PROTECTION ACT. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

SOYBEAN

'95B97'

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this eighth day of May, in the year of our Lord two thousand one.

Attest.

Alan R. Post

Acting Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

Secretary of Agriculture

REPRODUCE LOCALLY. *Include form number and date on all reproductions*

Form Approved - OMB No. 0581-0055

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY - PLANT VARIETY PROTECTION OFFICE

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

(Instructions and information collection burden statement on reverse)

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF OWNER
Pioneer Hi-Bred International, Inc.

2. TEMPORARY DESIGNATION OR EXPERIMENTAL NAME

2. VARIETY NAME
95B97

4. ADDRESS *(Street and No., or R.F.D. No., City, State, and ZIP Code, and Country)*
7300 N. W. 62nd Avenue
P. O. Box 1004
Johnston, IA 50131

5. TELEPHONE *(include area code)*
515-254-2638

6. FAX *(include area code)*
515-253-2288

FOR OFFICIAL USE ONLY

PVPO NUMBER

200100079

FILING DATE
January 25, 200

7. IF THE OWNER NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION *(corporation, partnership, association, etc.)*
Corporation

8. IF INCORPORATED, GIVE STATE OF INCORPORATION
Iowa

9. DATE OF INCORPORATION
May 6, 1926

10. NAME AND ADDRESS OF OWNER REPRESENTATIVE(S) TO SERVE IN THIS APPLICATION. *(First person listed will receive all papers)*

Daria Schmidt, Ph.D.
7300 NW 62nd Ave.
P.O. Box 1004
Johnston, Iowa 50131-1004

Jean Bromert (copy)
7100 NW 62nd Ave.
P. O. Box 1000
Johnston, Iowa 50131-1000

FEES RECEIVED

FILING AND EXAMINATION FEES:
$ 2705
DATE Jan. 25, 01

CERTIFICATION FEE:
$ 320.00
DATE 5/2/01

11. TELEPHONE *(Include area code)*
515-254-2638

12. FAX *(Include area code)*
515-253-2288

13. E-MAIL
schmidtdh@phibred.com

14. CROP KIND *(Common Name)*
Soybean

18. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse)

- a. ☒ Exhibit A. Origin and Breeding History of the Variety
- b. ☒ Exhibit B. Statement of Distinctness
- c. ☒ Exhibit C. Objective Description of Variety
- d. ☒ Exhibit D. Additional Description of the Variety *(Optional)*
- e. ☒ Exhibit E. Statement of the Basis of the Owner's Ownership
- f. ☒ Voucher Sample *(2,500 viable untreated seeds or, for tuber propagated varieties, verification that tissue culture will be deposited and maintained in an approved public repository)*
- g. ☒ Filing and Examination Fee ($2,705), made payable to "Treasurer of the United States" *(Mail to the Plant Variety Protection Office)*

19. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE SOLD AS A CLASS OF CERTIFIED SEED? *See Section 83(a) of the Plant Variety Protection Act)*

☐ YES *(If "yes", answer items 20 and 21 below)* ☒ NO *(If "no," go to item 22)*

20. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF CLASSES? ☐ YES ☐ NO

IF YES, WHICH CLASSES? ☐ FOUNDATION ☐ REGISTERED ☐ CERTIFIED

21. DOES THE OWNER SPECIFY THAT THE CLASSES BE LIMITED AS TO NUMBER OF GENERATIONS? ☐ YES ☐ NO

IF YES, SPECIFY THE NUMBER 1, 2, 3, *etc.* ☐ FOUNDATION ☐ REGISTERED ☐ CERTIFIED

(If additional explanation is necessary, please use the space indicated on the reverse.)

22. HAS THE VARIETY (INCLUDING ANY HARVESTED MATERIAL) OR A HYBRID PRODUCED FROM THIS VARIETY BEEN SOLD, DISPOSED OF, TRANSFERRED, OR USED IN THE U. S. OR OTHER COUNTRIES?

☐ YES ☒ NO

IF YES, YOU MUST PROVIDE THE DATE OF FIRST SALE, DISPOSITION, TRANSFER, OR USE FOR EACH COUNTRY AND THE CIRCUMSTANCES. *(Please use space indicated on reverse.)*

23. IS THE VARIETY OR ANY COMPONENT OF ~~THE VARIETY PROTECTED BY INTELLECTUAL~~ PROPERTY RIGHT *(PLANT BREEDER'S RIGHT OR PATENT)*?

☐ YES ☒ NO

IF YES, GIVE COUNTRY, DATE OF FILING OR ISSUANCE AND ASSIGNED REFERENCE NUMBER. *(Please use space indicated on reverse.)*

24. The owners declare that a viable sample of basic seed of the variety will be furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate.

The undersigned owner(s) is(are) the owner of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act.

Owner(s) is(are) informed that false representation herein can jeopardize protection and result in penalties.

SIGNATURE OF OWNER
Daria H. Schmidt

NAME *(Please print or type)*
Daria H. Schmidt

CAPACITY OR TITLE
Director, Associative Genetics/Technology Integration

DATE
1/22/01

SIGNATURE OF OWNER

NAME *(Please print or type)*

CAPACITY OR TITLE

DATE

Exhibit A. Origin and Breeding History of the Variety

Soybean Variety 95B97

Variety 95B97 evolved from a 1992 cross of A5979/S5960.

It is an F5-derived variety, which was advanced to the F5 generation by modified single seed descent. The F6 progeny row of 95B97 was grown in the summer of 1995. Subsequently, 95B97 has undergone five years of extensive testing and purification and has been observed by the breeder to be uniform and stable for all plant traits from generation to generation, with no evidence of variants. On the basis of yield potential, and resistance to races 3 and 14 of soybean cyst nematode, variety 95B97 was assigned a commercial number.

The purification block was grown during the summer of 1998 and 80 sublines were bulked for increase. 2.6 acres of 95B97 (breeders seed) were grown in the summer of 1999. 108 acres of parent seedstock (foundation seed equivalent) were grown in the summer of 2000 and 4,635 bushels harvested.

Exhibit B. Statement of Distinctness

Soybean Variety 95B97

Variety 95B97 is most similar to Variety 95B95. Both varieties have purple flowers, gray pubescence, and yellow seeds with imperfect black hila. However, 95B97 has resistance to race 3 and 14 of Soybean Cyst Nematode and is susceptible to Roundup branded herbicides whereas 95B95 is susceptible to race 3 and 14 of Soybean Cyst Nematode and is resistant to Roundup branded herbicides.

Variety 95B97 is also similar to Variety 96B21. Both varieties have purple flowers, gray pubescence, and yellow seeds with imperfect black hila. However, 95B97 has resistance to race 3 and 14 of Soybean Cyst Nematode and is susceptible to Roundup branded herbicides whereas 96B21 is susceptible to race 3 and 14 of Soybean Cyst Nematode and is resistant to Roundup branded herbicides.

Variety 95B97 is also similar to A5704 from Asgrow Seeds. Both varieties have purple flowers, gray pubescence, and yellow seeds with imperfect black hila. However, 95B97 does not have the Als1 gene for tolerance to certain sulfonylurea herbicides whereas A5704 does have the Als1 gene for tolerance to certain sulfonylurea herbicides.

Variety 95B97 is somewhat similar to Variety S59-60 from Novartis Seeds. Both varieties have purple flowers and are has resistance to race 3 and 14 of Soybean Cyst Nematode. However, 95B97 has gray pubescence and yellow seeds with imperfect black hila whereas S59-60 has tawny pubescence and yellow seeds with black hila.

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY
PLANT VARIETY PROTECTION OFFICE
BELTSVILLE, MD 20705

EXHIBIT C
(Soybean)

OBJECTIVE DESCRIPTION OF VARIETY
SOYBEAN (*Glycine max* (L.) Merr.)

NAME OF APPLICANT(S)
Pioneer Hi-Bred International

ADDRESS *(Street and No. or R.F.D. No., City, State, and ZIP Code)*

7300 62nd Avenue
P.O. Box 1004
Johnston, IA 50131-1004

FOR OFFICIAL USE ONLY

PVPO NUMBER
200100070

VARIETY NAME
95B97

TEMPORARY OR EXPERIMENTAL DESIGNATION

PLEASE READ ALL INSTRUCTIONS CAREFULLY: Place the appropriate number that describes the varietal character of this variety in the boxes below.

Place a zero in the first box (e.g. [9][9][9] **or** [0][9] **) when number is either 99 or less or 9 or less respectively. Data for quantitative**

plant characters should be based on a minimum of 100 plants. Comparative data should be determined from varieties entered in the same trial. Royal Horticultural Society or any recognized color standard may be used to determine plant colors; designate system used:

Please answer all questions for your variety; lack of response may delay progress of your application.

A. MORPHOLOGY

Seed Shape:

[2]

1 = Spherical (L/W, L/T, and T/W ratios < 1.2)
2 = Spherical-Flattened (L/W ratio > 1.2; L/T ratio < 1.2)
3 = Elongate (L/T ratio > 1.2; T/W ratio < 1.2)
4 = Elongate-Flattened (L/T ratio > 1.2;T/W ratio > 1.2)

Seed Coat Color:

[1]

1 = Yellow **2 = Green** **3 = Brown** **4 = Black** **5 = Other (*Please Specify*) _____**

Seed Coat Luster:

[1]

1 = Dull **2 = Shiny**

Seed Size:

[1][2] **grams/100 seeds**

Hilum Color:

[5]

1 = Buff **2 = Yellow** **3 = Brown** **4 = Gray** **5 = Imperfect Black**
6 = Black **7 = Other (*Please Specify*) _____**

A. MORPHOLOGY (*Continued*)

Cotyledon Color:

[1] 1 = Yellow 2 = Green

Seed Protein Peroxidase Activity:

[1] 1 = Low 2 = High

Hypocotyl Color:

[3] 1 = Green ('Evans' or 'Davis') 2 = Green with Bronze Bands below Cotyledons ('Woodworth' or 'Tracy') 3 = Light Purple below Cotyledons ('Beeson' or 'Pickett 71') 4 = Dark Purple extending to unifoliolate leaves ('Hodgson', 'Coker', or 'Hampton 266A')

Leaflet Shape:

[3] 1 = Lanceolate 2 = Oval 3 = Ovate 4 = Other (*Please Specify*) _____

Flower Color:

[2] 1 = White 2 = Purple 3 = White with a Purple Throat

Pod Color:

[1] 1 = Tan 2 = Brown 3 = Black

Pubescence Color:

[1] 1 = Gray 2 = Brown (Tawny) 3 = Light Tawny

Plant Habit:

[1] 1 = Determinate 2 = Semi - Determinate 3 = Indeterminate 4 = Intermediate

Maturity Group:

[0][8]

1 = 000 2 = 00 3 = 0 4 = I 5 = II
6 = III 7 = IV 8 = V 9 = VI 10 = VII
11 = VIII 12 = IX 13 = X 14 = XI 15 = XII

Maturity Subgroup:

[9] Please enter a value from 0 - 9

B. DISEASE REACTIONS

0 = Not Tested 1 = Susceptible 2 = Resistant 3 = Tolerant

Bacterial

[0] Bacterial Pustule (*Xanthomonas campestris* pv. *glycines* (Nakano) Dye)

[1] Bacterial Blight (*Pseudomonas syringae* pv. *glycinea* (Coerper) Young, Dye, & Wilkie)

[0] Wildfire Blight (*Pseudomonas syringae* pv. *tabaci* (Wolf & Foster) Young, Dye, & Wilkie)

B. DISEASE REACTIONS (*Continued*) 0 = Not Tested 1 = Susceptible 2 = Resistant 3 = Tolerant

Fungal

[1] Brown Spot (*Septoria glycines* Hemmi)

Frogeye Leaf Spot (*Cercospora sojina* Hara)

[0] race 1 [0] race 2 [0] race 3 [0] race 4

[0] race 5 [0] race 6 [ ] Other (*Please Specify*) _____

[0] Target Spot (*Corynespora cassiicola* (Berk. & Curt.) Wei)

[0] Downey Mildew (*Peronospora trifoliorum* var. *manchurica* (Naum.) Syd. ex Gäum)

[0] Powdery Mildew (*Microsphaera diffusa* Cke. & Pk.)

[0] Brown Stem Rot (*Phialophora gregata* (Allington & Chamberlain) W. Gams.)

[0] Stem Canker (*Diaporthe phaseolorum* (Cke. & Ell.) Sacc. var. *caulivora* Athow & Caldwell)

[1] Pod and Stem Blight (*Diaporthe phaseolorum* (Cke. & Ell.) Sacc. var. *sojae* (Lehman) Wehm.)

[0] Purple Seed Stain (*Cercospora kikuchii* (T. Matsu. & Tomoyasu) Gardener)

[1] Rhizoctonia Root Rot (*Rhizoctonia solani* Kühn)

Phytophthora Root Rot (*Phytophthora megasperma* Drechs. f. sp. *glycinea* (Kuan & Erwin))

[1] race 1	[0] race 8	[0] race 15	[0] race 22
[0] race 2	[0] race 9	[0] race 16	[0] race 23
[0] race 3	[0] race 10	[0] race 17	[0] race 24
[0] race 4	[0] race 11	[0] race 18	[0] race 25
[0] race 5	[0] race 12	[0] race 19	[0] race 26
[0] race 6	[0] race 13	[0] race 20	[ ] Other (*Please Specify*)
[0] race 7	[0] race 14	[0] race 21	_____

[1] Bud Blight (Tobacco Ringspot Virus)

[1] Yellow Mosaic (Bean Yellow Mosaic Virus)

B. DISEASE REACTIONS (*Continued*) 0 = Not Tested 1 = Susceptible 2 = Resistant 3 = Tolerant

[1] Cowpea Mosaic (Cowpea Chlorotic Virus)

[1] Pod Mottle (Bean Pod Mottle Virus)

[1] Seed Mottle (Soybean Mosaic Virus)

Nematode

Soybean Cyst Nematode (*Heterodera glycines* Ichinohe)

[0]	race 1	[0]	race 4	[0]	race 9
[0]	race 2	[0]	race 5	[2]	race 14
[2]	race 3	[0]	race 6	[ ]	Other (*Please Specify*) _____

[0] Lance Nematode (*Hoplolaimus columbus* Sher)

[0] Southern Root Knot Nematode (*Meloidogyne incognita* (Kofoid & White) Chitwood)

[0] Northern Root Knot Nematode (*Meloidogyne hapla* Chitwood)

[1] Peanut Root Knot Nematode (*Meloidogyne arenaria* (Neal) Chitwood)

[0] Reniform Nematode (*Rotylenchus reniformus* Linwood & Olivera)

[0] Javanese Nematode (*Meloidogyne javanica* (Treub) Chitwood)

[0] Other Nematode (*Please Specify*) _____

C. PHYSIOLOGICAL RESPONSES 0 = Not Tested 1 = Susceptible 2 = Resistant 3 = Tolerant

[0] Iron Chlorosis on Calcareous Soil

[0] Phosphorus

[0] Other (*Please Specify*) _____

[0] Boron

[0] Aluminum

[0] Salt

[0] Drought

D. INSECT REACTIONS 0 = Not Tested 1 = Susceptible 2 = Resistant 3 = Tolerant

[0] Mexican Bean Beetle (*Epilachna varivestis* Mulsant)

[0] Potato Leaf Hopper (*Empoasca fabae* (Harris))

[0] Other (*Please Specify*) _____

E. HERBICIDE REACTIONS 0 = Not Tested 1 = Susceptible 2 = Resistant

[0] Metribuzin

[0] Bentazone

[1] Sulfonylurea

[1] Glyphosate

[0] Glufosinate

[0] Pendimethalin

[0] Other (*Please Specify*) _____

F. TRANSGENIC COMPOSITION

Has the development of the subject variety included the insertion of genetic material from an organism other than a soybean, or, the removal of genetic material from the application variety?
If yes, please complete the following information requests*. Use additional pages if necessary. [ ] YES [X] NO

1. Please state the vector's name:

2. Please state the vector components:

3. Please describe the genetic material successfully transferred into the subject variety:

4. Please describe the insertion protocol:

*A literature citation(s) explaining the four information requests above may be an acceptable alternative to completion of the "Transgenic Composition" portion of this form.

G. BIOCHEMICAL MARKERS

Please describe any biochemical information here, which you believe will be helpful in further describing the subject variety (*e.g.* Simple Sequence Repeats, Restriction Fragment Length Polymorphisms, Isozymic Characterization). Use additional pages if necessary.

H. COMMENTS

Exhibit D. Additional Description of the Variety

Soybean Variety 95B97

In Exhibit C we have identified variety 95B97 as susceptible to bacterial blight, brown spot, pod and stem blight, rhizoctonia root rot, bud blight, yellow mosaic, cowpea mosaic, pod mottle and seed mottle.

This does not mean that variety 95B97 is any worse for these problems than other varieties of similar maturity. Rather, we do not consider 95B97 to be immune to these problems. Therefore, we have chosen to be conservative and have identified the line as "susceptible".

Variety 95B97 is a late Group V variety. If Group V varieties are divided into tenths, the relative maturity of 95B97 is 5.9.

REPRODUCE LOCALLY. Include form number and edition date on all reproductions. FORM APPROVED - OMB No. 0581-0055

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE

EXHIBIT E
STATEMENT OF THE BASIS OF OWNERSHIP

The following statements are made in accordance with the Privacy Act of 1974 *(5 U.S.C. 552a)* and the Paper Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued *(7 U.S.C. 2421)*. The information is held confidential until the certificate is issued *(7 U.S.C. 2426)*.

1. NAME OF APPLICANT(S)

Pioneer Hi-Bred International, Inc.

2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER

2. VARIETY NAME

95B97

4. ADDRESS *(Street and No., or R.F.D. No., City, State, and ZIP, and Country)*

7300 NW 62nd Avenue
P. O. Box 1004
Johnston, IA 50131-1004

5. TELEPHONE *(Include area code)*

515-254-2638

6. FAX *(Include area code)*

515-253-2288

7. PVPO NUMBER

200100070

8. Does the applicant own all rights to the variety? Mark an "X" in the appropriate block.
If no, please explain.

[X] YES [ ] NO

9. Is the applicant (individual or company) a U.S. National or a U.S. based company?
If no, give name of country

[X] YES [ ] NO

10. Is the applicant the original owner? [X] YES [ ] NO **If no, please answer one of the following:**

a. If the original rights to variety were owned by individual(s), is (are) the original owner(s) a U.S. National(s)?

[ ] YES [ ] NO **If no, give name of country**

b. If the original rights to variety were owned by a company(ies), is (are) the original owner(s) a U.S. based company?

[ ] YES [ ] NO **If no, give name of country**

11. Additional explanation on ownership *(If needed, use the reverse for extra space)*:

Please Note:

Plant variety protection can only be afforded to the owners (not licensees) who meet the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.

2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.

3. If the applicant is an owner who is not the original owner, both the original owner and the applicant must meet one of the above criteria.

The original breeder/owner may be the individual or company who directed the final breeding. See Section 41(a)(2) ot the Plant Variety Protection Act for definitions.